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Judge: **Trish M. Brown**
Chapter: 13
Location: Portland

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON AT PORTLAND

In Re: **JASON WAYNE BRAY,** Debtor.	Case No. **14-36833-tmb13** Adversary No.
JASON WAYNE BRAY, Plaintiff, vs. **TRANSWORLD SYSTEMS, INC., NAVIENT SOLUTIONS, INC., and NATIONAL COLLEGIATE STUDENT LOAN TRUSTS 2007-4, 2006-3, 2006-1, 2004-2, DELAWARE STATUTORY TRUSTS** Defendants.	**ADVERSARY COMPLAINT TO DETERMINE THE DISCHARGEABILITY OF A DEBT PURSUANT TO 11 U.S.C. § 523(a)(8)**

COMES NOW the Plaintiff, Jason Wayne Bray, through his attorney, Stanley F. Horak, and make this Complaint against the Defendants, Transworld Systems, Inc., Navient Solutions, Inc., and National Collegiate Student Loan Trusts 2007-4, 2006-3, 2006-1, and 2004-2. Plaintiffs allege as follows:

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I. PARTIES

1.1 Defendants are unsecured creditors of Plaintiffs.

1.2 Plaintiff is the debtor in the above-captioned case.

II. JURISDICTION AND VENUE

2.1 Plaintiff voluntarily filed for Chapter 13 relief on December 17, 2014.

2.2 This court has jurisdiction over the adversary proceeding pursuant to 28 U.S.C. § 1334.

2.3 This action is a core proceeding under 28 U.S.C. § 157 (b)(2)(I).

2.4 This proceeding has been timely commenced.

III. STATEMENT OF FACTS

3.1 Plaintiff-Debtor Jason Wayne Bray was a student enrolled at Art Institute of Portland for academic years 2004-07.

3.3 Plaintiff-Debtor Jason Wayne Bray received student loans serviced by Defendant Transworld Systems, Inc., as follows:

3.3.1 Original lender – Charter One Bank, N.A. assignment to National Collegiate Student Loan Trust 2006-3, a Delaware Statutory Trust, with a balance of $50,866.00, Acct# xxxx4782;

3.3.2 Original lender – Bank of America, N.A. assignment to National Collegiate Student Loan Trust 2004-2, a Delaware Statutory Trust, with a balance of $36,382.00, Acct# xxxx4770;

3.3.3 Original lender – Bank of America, N.A. assignment to National Collegiate Student Loan Trust 2006-1, a Delaware Statutory Trust, with a balance of $28,283.00, Acct# xxxx4777; and

3.3.4 Original lender – Bank of America, N.A. assignment to National

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Collegiate Student Loan Trust 2007-4, a Delaware Statutory Trust, with a balance of $13,742.00, Acct# xxxx4785.

3.4 Plaintiff-Debtor Jason Wayne Bray received student loans from Defendant Navient Solutions, Inc., as follows:

3.4.1 August 18, 2005, with a balance of $24,083.00, Acct# xxxx3008;

3.4.2 May 8, 2006, with a balance of $13,161.00, Acct# xxxx3016;

3.4.3 January 8, 2007, with a balance of $12,420.00, Acct# xxxx3024;

3.4.4 January 9, 2007, with a balance of $7,908.00, Acct# xxxx0109;

3.4.5 March 29, 2006, with a balance of $6,231.00, Acct# xxxx0329;

3.4.6 August 17, 2005, with a balance of $2,977.00, Acct# xxxx0817; and

3.4.7 September 26, 2007, with a balance of $2,635.00, Acct# xxxx0926.

3.5 Plaintiff-Debtor Jason Wayne Bray is employed as a seasonal employee for the Portland Opera.

IV. CAUSES OF ACTION

4.1 11 U.S.C. § 523(a)(8) provides student loan debt may be discharged if excepting it from discharge "will impose an undue hardship on the debtor and the debtor's dependents."

4.1.1 Excepting the Transworld Systems, Inc. loan, Acct# xxxx4782, assigned to National Collegiate Student Loan Trust 2006-3 from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.2 Excepting the Transworld Systems, Inc. loan, Acct# xxxx4770,

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assigned to National Collegiate Student Loan Trust 2004-2 from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.3 Excepting the Transworld Systems, Inc. loan, Acct# xxxx4777, assigned to National Collegiate Student Loan Trust 2006-1 from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.4 Excepting the Transworld Systems, Inc. loan, Acct# xxxx4785, assigned to National Collegiate Student Loan Trust 2007-4 from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.5 Excepting the August 18, 2005, Navient Solutions, Inc. loan, Acct# xxxx3008, from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.6 Excepting the May 8, 2006, Navient Solutions, Inc. loan, Acct# xxxx3016, from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.7 Excepting the January 8, 2007, Navient Solutions, Inc. loan, Acct# xxxx3024, from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.8 Excepting the January 9, 2007, Navient Solutions, Inc. loan, Acct# xxxx0109, from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.9 Excepting the March 29, 2006, Navient Solutions, Inc. loan, Acct#

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xxxx0329, from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.10 Excepting the August 17, 2005, Navient Solutions, Inc. loan, Acct# xxxx0817, from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

4.1.11 Excepting the September 26, 2007, Navient Solutions, Inc. loan, Acct# xxxx0926, from discharge will impose undue hardship on the Plaintiff-Debtor and his dependents.

V. REQUESTS FOR RELIEF

WHEREFORE, Plaintiffs request entry of judgment for relief as follows:

5.1 That, pursuant to Plaintiff's Cause of Action above, the Transworld Systems, Inc. loan, Acct# xxxx4782, assigned to National Collegiate Student Loan Trust 2006-3 be discharged in Plaintiff's Chapter 13 bankruptcy.

5.2 That, pursuant to Plaintiff's Cause of Action above, the Transworld Systems, Inc. loan, Acct# xxxx4770, assigned to National Collegiate Student Loan Trust 2004-2 be discharged in Plaintiff's Chapter 13 bankruptcy.

5.3 That, pursuant to Plaintiff's Cause of Action above, the Transworld Systems, Inc. loan, Acct# xxxx4777, assigned to National Collegiate Student Loan Trust 2006-1 be discharged in Plaintiff's Chapter 13 bankruptcy.

5.4 That, pursuant to Plaintiff's Cause of Action above, the Transworld Systems, Inc. loan, Acct# xxxx4785, assigned to National Collegiate

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Student Loan Trust 2007-4 be discharged in Plaintiff's Chapter 13 bankruptcy.

5.5 That, pursuant to Plaintiff's Cause of Action above, Navient Solutions, Inc. loan, Acct#xxxx3008, be discharged in Plaintiffs' Chapter 13 bankruptcy.

5.5 That, pursuant to Plaintiff's Cause of Action above, Navient Solutions, Inc. loan, Acct#xxxx3016, be discharged in Plaintiffs' Chapter 13 bankruptcy.

5.5 That, pursuant to Plaintiff's Cause of Action above, Navient Solutions, Inc. loan, Acct#xxxx3024, be discharged in Plaintiffs' Chapter 13 bankruptcy.

5.5 That, pursuant to Plaintiff's Cause of Action above, Navient Solutions, Inc. loan, Acct#xxxx0109, be discharged in Plaintiffs' Chapter 13 bankruptcy.

5.5 That, pursuant to Plaintiff's Cause of Action above, Navient Solutions, Inc. loan, Acct#xxxx0329, be discharged in Plaintiffs' Chapter 13 bankruptcy.

5.5 That, pursuant to Plaintiff's Cause of Action above, Navient Solutions, Inc. loan, Acct#xxxx0817, be discharged in Plaintiffs' Chapter 13 bankruptcy.

5.5 That, pursuant to Plaintiff's Cause of Action above, Navient Solutions, Inc. loan, Acct#xxxx0926, be discharged in Plaintiffs' Chapter 13 bankruptcy.

Dated this 31st day of March, 2015.

/s/ Stanley F. Horak
STANLEY F. HORAK, WSBA #7657
Attorney for Plaintiff

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